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Report of the Independent Expert on the enjoyment of all human rights by older persons on her mission to Singapore: comments by the State*

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the comments by the State on the report of the Independent Expert on the enjoyment of all human rights by older persons on her mission to Singapore.

* Reproduced as received.

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Comments on the Report of the Independent Expert on the enjoyment of all human rights by older persons, Rosa Kornfeld-Matte, on her mission to Singapore (from 21 to 29 September 2016)

1. The Government of Singapore thanks the Independent Expert on the enjoyment of all human rights by older persons Ms Rosa Kornfeld-Matte for her first visit to Singapore. We welcome the rich and extensive exchange of views between Ms Kornfeld-Matte and our officials, volunteers and civil society, as well as the opportunity to learn from Ms Kornfeld-Matte's extensive expertise and experience.

2. The Government also thanks Ms Kornfeld-Matte for the comprehensive report of her visit to Singapore. The report outlined Singapore's whole-of-Government and whole-of-society approach towards population ageing, and the range of policies and programmes we have implemented since the 1980s, to care for our senior citizens. We are also encouraged by Ms Kornfeld-Matte's compliments of Singapore's vision to create a Nation for All Ages; for devising a comprehensive national strategy to deal with the challenges of an ageing population; the upgrading of our care system, public infrastructure and social policies to cater to an ageing population; and our efforts to strengthen research on ageing.

3. The Government is fully committed to the protection and promotion of the human rights of our senior citizens. Our goal is to create an enabling ageing environment for our seniors and to change mind-sets about ageing from a "Silver Tsunami" to "Productive Longevity". We will study and consider all recommendations in Ms Kornfeld-Matte's report carefully. We will support recommendations that complement our ongoing efforts to build a Nation for All Ages and to implement our Action Plan for Successful Ageing. In addition, we would like to provide additional clarification and responses to some recommendations in the report that might not be as reflective of or appropriate to Singapore's national context. Our views on these recommendations are outlined in the following paragraphs.

A. Discrimination and Gender Equality

4. On paragraph 93 of the report: We note the Independent Expert's comments about "patriarchal attitudes" and "deep-rooted stereotypes". The Government is committed to changing mind-sets on gender roles and encouraging shared responsibilities, especially at home, to support women in reaching their fullest potential. We also raise awareness of men's responsibilities and roles as fathers, husbands and individual members of the family through campaigns and public education programmes. For example, the Government promotes shared parenting through the "FamilyMatters@School" programmes. The Government also works with community partners to inspire and involve fathers actively in their children's lives and conducts capability-building sessions to discuss contemporary marriage as well as family trends and role expectations. To further encourage greater shared parental responsibility, the Government has progressively enhanced leave provisions for fathers. With effect from January 2017, Government-Paid Paternity Leave has been increased from one to two weeks. From July 2017, Shared Parental Leave has also been enhanced, allowing working fathers to share up to four weeks of their wife's maternity leave (increased from two weeks previously).

5. Perceptions on gender roles are evolving. A 2016 Marriage and Parenthood study showed that 99% of married respondents in Singapore agreed that "fathers and mothers are equally important as caregivers for children" and 95% agreed that both parents should share the responsibilities of the home equally.

6. On the issue of gender equality in society, the latest UN 2016 Human Development Report ranked Singapore 11th out of 159 countries on the UN Gender Inequality Index. Women in Singapore have made much progress in many areas and are actively contributing in the public sphere, including in politics and the economy. In May 2017, women held 23.8% of the seats in Parliament, slightly exceeding the Inter-Parliamentary Union's world average of 23.3%. Our full-time employment rate for women aged 25-64 has increased from 63.1% ten years ago, to 72.0% in 2016. We will continue to support women in Singapore to reach their fullest potential.

7. On paragraph 94 of the report: The Government notes the Independent Expert's recommendation to incorporate a specific definition of discrimination against women into the Singapore Constitution or appropriate legislation. The Government's approach is to address discrimination against women through a robust system of legal and non-legal measures. As the report has acknowledged, the Singapore Constitution "guarantees equality for all persons". Article 12(1) of the Constitution enshrines the principle of equality of all persons before the law, and provides that "[a]ll persons are equal before the law and entitled to the equal protection of the law". This provision encompasses the non-discrimination of women, as well as non-discrimination on other grounds such as age or disability. Women in Singapore enjoy strong legal protection even though Singapore does not have specific gender equality or anti-gender discrimination legislation.

8. In addition to the Constitution, there is specific legislation that protect the rights of women in particular areas, including the Employment Act, the Women's Charter, and the Penal Code. Singapore has enacted several laws since 2009 which strengthen and give effect to Singapore's obligations under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). They include the Protection from Harassment Act, the Prevention of Human Trafficking Act and the Family Justice Act. Any woman who is of the view that she is subjected to unequal treatment in legislation and/or unequal treatment in executive decisions on the basis of her gender can bring the matter before the courts. In addition, any woman aggrieved by a legal provision that allegedly discriminates against women may also apply to the courts to seek a judicial review of that particular legislation on the grounds that it is unconstitutional and fails to adhere to Article 12(1) of the Constitution on equality. This will then be subject to adjudication by the courts. There are also other existing mechanisms in place that address individual complaints of gender discrimination, including within Government agencies, Parliament and the media. We have not received any feedback of insufficient complaint channels so far. Nevertheless, the Government will continue to monitor and review whether more of such channels should be established.

B. Violence, Abuse, and Neglect of Older Persons

9. **On paragraphs 95-96 of the report**: The Government notes the Independent Expert's recommendation to explicitly criminalise all acts of domestic violence. The Government is committed to protecting vulnerable persons from violence, abuse and neglect. The enactment of the Vulnerable Adults Act (VAA) will allow the State to protect vulnerable adults in cases where family or community interventions have been exhausted or are not effective. It is a future-ready legislation in light of our rapidly ageing population. The VAA complements existing legislation that address violence, maltreatment and abuse against vulnerable including older persons. These include the Penal Code, which criminalises physical and sexual abuse against individuals; the Women's Charter, which allows victims of family violence to apply for protection orders from the Court; and the Maintenance of Parents Act, which provides parents with a legal channel to seek maintenance from their children where there is financial neglect. Through the legislative amendments, the protection for vulnerable adults will also be strengthened with enhanced

penalty under the Penal Code. For example, someone who commits a sexual offence against a vulnerable adult may face a penalty that is up to 1.5 times of the usual penalty that applies when the victim is not a vulnerable adult. Together, the abovementioned legislation ensures that Singapore has a robust legislative framework that offers strong protection for vulnerable adults.

10. The Government has also put in place robust protocols and adopts a collaborative approach to managing family violence, including elder abuse. The Family Violence Dialogue Group (FVDG), comprising representatives from Government Ministries, the Police, Judiciary, as well as non-government agencies, was established to enhance systems-level processes to manage family violence. At the operational level, the National Family Violence Networking System (NFVNS) links Family Service Centres, crisis shelters, hospitals, the Police, Courts, Prison Service and the Ministry of Social and Family Development (MSF) in order to enhance collaboration and ensure that cases of abuse are handled in a timely and effective manner. Any member of the public can approach any one of these agencies for help. Where there are serious concerns, MSF works closely with the Family Violence Specialist Centres and the Police to provide support for the victim and other vulnerable members of the family.

11. Under the ambit of the NFVNS, Regional Family Violence Working Groups were also established in 2003 to manage cases of family violence in a multi-disciplinary and integrated fashion. Each Working Group is led by a Non-Government Organisation to improve local community awareness and operations related to the management of family violence. The Government has also invested resources in increasing public awareness on violence and training community partners to better recognise the signs and symptoms of abuse. The NFVNS has been a key instrument in the Government's efforts to protect vulnerable persons from violence and abuse, and its 20th anniversary celebrations in 2016 marked an important milestone in Singapore's journey in protecting the vulnerable in society.

C. Social Protection and the Right to Social Security

12. On paragraphs 105 and 107 of the report: The Government appreciates the Independent Expert's suggestions, which are aimed at ensuring that older persons are financially secure in old age. However, the recommendation to introduce a universal non-contributory old age pension scheme may not be appropriate, nor easily applied, in Singapore's context.

13. Our social security system is premised on individual responsibility with family support. These are important principles that have allowed us to design a retirement income system, the Central Provident Fund (CPF), which is sustainable over the long term. As a fully-funded, defined-contribution mandatory savings scheme, the CPF supports Singaporeans in saving for their own retirement. This averts the financing crisis faced by many pay-as-you-go, defined-benefit pension systems. The Government supports the accumulation of CPF savings by exempting these savings from tax, and by providing guaranteed returns on these savings. For those who were unable to contribute as much to their CPF accounts in their working years, and currently have little or no family support, the Government has introduced the non-contributory, but means-tested, Silver Support scheme to provide cash supplements in retirement. In addition, senior citizens in Singapore enjoy a substantial amount of transfers through various targeted schemes (e.g. healthcare and aged care, Goods and Services Tax (GST) vouchers, public transport subsidies). This approach provides older Singaporeans with support for their basic specific needs in retirement.

14. To create more opportunities for seniors to remain economically productive, the re-employment age has been raised from 65 to 67 from 1 July 2017 to enable workers to work

longer if they are willing and able to. To guard against the economisation of older persons, the Tripartite Alliance for Fair and Progressive Employment Practices (TAFEP) will continue to advocate and shape a fair and inclusive workplace culture by educating and supporting employers in adopting age-inclusive employment practices.

15. A statutory minimum wage is a complex issue with wide-ranging ramifications for our economy and our workers, which must be considered carefully. The Government's preferred approach to help low-wage workers is to raise incomes through productivity improvements so that income growth is sustainable in the long run. We adopt a 3-tiered strategy – first, the Government strives to create good jobs and grow the economic pie; second, the Government provides income supplements, encourages work and invests in training through the Workfare Income Supplement, Workfare Training Support, and Skills Future schemes respectively, to help experienced workers remain employable and productive; third, in specific sectors that may require more help due to particular market failures, the Government has intervened in more targeted ways, such as by mandating the adoption of Progressive Wage Models in the cleaning, security and landscape sectors.

D. Conclusion

16. Singapore is determined to succeed in building a Nation for All Ages and in implementing our Action Plan for Successful Ageing. We value the insights of Ms Kornfeld-Matte which help broaden the perspectives of our policy makers, practitioners, and volunteers. We also hope Ms Kornfeld-Matte has a better appreciation of Singapore's constraints and our pragmatic, outcomes-based approach to caring for our citizens. We look forward to further engagement with Ms Kornfeld-Matte to exchanges views on best practices and policies to better care for older persons in Singapore and other countries.